



Council of the
European Union

Brussels, 25 January 2017
(OR. en)

5650/17

AGRILEG 22
VETER 8

COVER NOTE

From:	European Commission
date of receipt:	24 January 2017
To:	General Secretariat of the Council
No. Cion doc.:	D044352/06
Subject:	COMMISSION REGULATION (EU) .../... of XXX amending Regulation (EU) No 142/2011 as regards an alternative method for processing certain rendered fats

Delegations will find attached document D044352/06.

Encl.: D044352/06



Brussels, **XXX**
SANTE/7111/2015 Rev. 1
(POOL/G2/2015/7111/7111R1-EN.doc)
D044352/06
[...](2016) **XXX** draft

COMMISSION REGULATION (EU) .../...

of **XXX**

**amending Regulation (EU) No 142/2011 as regards an alternative method for processing
certain rendered fats**

(Text with EEA relevance)

COMMISSION REGULATION (EU) .../...

of **XXX**

amending Regulation (EU) No 142/2011 as regards an alternative method for processing certain rendered fats

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1069/2009 of the European Parliament and of the Council of 21 October 2009 laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002¹, and in particular Article 20(11)(a) thereof,

Whereas:

- (1) Commission Regulation (EU) No 142/2011², lays down rules implementing Regulation (EC) No 1069/2009 including procedures for adoption of an alternative processing method.
- (2) Following an application of the competent authority of Finland for the authorisation of an alternative method for use or disposal of animal by-products or derived products, as referred to in Article 20 of Regulation (EC) No 1069/2009 the European Food Safety Authority (EFSA) published a Scientific Opinion on the use of a continuous multiple-step catalytic hydro-treatment for the processing of rendered animal fat (Category 1)³. This method may be used for the production of renewable diesel, renewable jet fuel, renewable propane and renewable gasoline. This method has been assessed by EFSA as a safe alternative method for processing of Category 1 rendered fats and the products may be declared as the end point in the manufacturing chain.
- (3) Materials resulting from the processing of Category 1 and 2 materials should be permanently marked to ensure traceability and prevent entering into the food and feed chain. However, marking should not be necessary for certain processed products which do not present the risk, in particular when placed on the market as renewable fuels.

¹ OJ L 300, 14.11.2009, p. 1.

² Commission Regulation (EU) No 142/2011 of 25 February 2011 implementing Regulation (EC) No 1069/2009 of the European Parliament and of the Council laying down health rules as regards animal by-products and derived products not intended for human consumption and implementing Council Directive 97/78/EC as regards certain samples and items exempt from veterinary checks at the border under that Directive (OJ L 54, 26.2.2011, p. 1).

³ EFSA Journal 2015;13(11):4307.

- (4) Annex IV to Regulation (EU) No 142/2011 should therefore be amended accordingly.
- (5) Annex VIII set out a requirement on marking of Category 1 and Category 2 derived products to prevent contamination of the feed chain for farmed animals. Annex VIII to Regulation (EU) No 142/2011 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EU) No 142/2011, point (j) is replaced by the following:

- "(j) oleochemical products derived from rendered fats and which fulfil the requirements set out in Chapter XI of Annex XIII;
- (k) renewable diesel, renewable jet fuel, renewable propane and renewable gasoline which fulfil the specific requirements for products from the Multiple-step catalytic hydro-treatment for the production of renewable fuels set out in point 2(f) of Section 3 of Chapter IV of Annex IV."

Article 2

Annex IV to Regulation (EU) No 142/2011 is amended in accordance with the text in the Annex to this Regulation.

Article 3

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission
The President
Jean-Claude JUNCKER